

IN THE CLAIMS

Amend th claims to read as follows.

1. *Currently amended.* A hair cosmetic composition comprising a fixative effective amount of xanthan gum, wherein the composition has a high humidity curl retention of at least about 80% for two hours at 90% relative humidity, and wherein the xanthan gum has been heat treated at a moisture content of less than about 8% 25%, a temperature of at least about 100°C 60°C for at least about 30 minutes, wherein the cosmetic composition is a hair fixative composition.
2. *Cancelled.*
3. *Cancelled..*
4. *Original.* The composition of claim 3, wherein the temperature is at least 105°C.
5. *Cancelled.*
6. *Original.* The composition of claim 3, wherein the moisture content is less than about 1%.
7. *Previously presented.* The composition of claim 1, wherein the heat treatment is for at least about one hour.
8. *Previously presented.* The composition of claim 7, wherein the heat treatment is for at least about 2.5 hours.
9. *Previously presented.* The composition of claim 1, wherein the heat treatment is at a moisture of less than about 1% and the temperature is at least about 105°C for at least about 2.5 hours.
10. *Original.* The composition of claim 1, wherein the composition is selected from the group consisting of a spray, a mousse, a hair lotion, a cream, a pomade, and a gel.
11. *Original.* The composition of claim 10, wherein the composition is a gel.
12. *Previously presented.* The composition of claim 1 characterized by a viscosity of at least about 8000 cps, and a turbidity of no more than about 100 NTU (Nephelometric Turbidity Units).
13. *Original.* The composition of claim 1, further comprising a second fixativ

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14. *Previously presented.* The composition of claim 13 wherein the second fixative polymer is selected from the group consisting of acrylates copolymer, octylacrylamide/acrylates/butylaminoethyl methacrylate copolymer, acrylates/octylacrylamide copolymer, VA/crotonates/vinyl Neodecanoate copolymer, poly(N-vinyl acetamide), poly(N-vinyl formamide), polyurethane, corn starch modified, sodium polystyrene sulfonate, polyquaternium-4, polyquaternium-10 and polyurethane/acrylates copolymer.
15. *Cancelled.*
16. *Previously presented.* The composition of claim 11, further comprising a second fixative polymer.
17. *Previously presented.* The composition of claim 16, wherein the second fixative polymer is selected from the group consisting of acrylates copolymer, octylacrylamide/acrylates/butylaminoethyl methacrylate copolymer, acrylates/octylacrylamide copolymer, VA/crotonates/vinyl Neodecanoate copolymer, poly(N-vinyl acetamide), poly(N-vinyl formamide), polyurethane, corn starch modified, sodium polystyrene sulfonate, polyquaternium-4, polyquaternium-10 and polyurethane/acrylates copolymer.
18. *Original.* A method of preparing the composition of claim 1, comprising dispersing the xanthan gum in water; and mixing in other hair cosmetic components.
19. *Cancelled.*
20. *Original.* A method of preparing the composition of claim 17 comprising dispersing the xanthan gum in water; and mixing in other hair cosmetic components.
21. *Original.* A method of providing fixative properties to the hair comprising applying the composition of claim 1.
22. *Original.* A method of providing curl retention under high humidity conditions comprising applying the composition of claim 1.
23. *Previously presented.* The composition of claim 1, wherein the composition is a surfactant-free hair mousse.

24. *currently amended.* A hair cosmetic composition, wherein the fixative consists essentially of a xanthan gum and the high humidity curl retention is at least about 80% two hours at 90% relative humidity, and wherein the xanthan gum has been heat treated at a moisture content of less than about 8% 25%, a temperature of at least about 100°C 60°C for at least about 30 minutes, wherein the composition is a hair fixative composition.
25. *Previously presented.* The composition of claim 24, wherein the composition is selected from the group consisting of a spray, a mousse, a hair lotion, a cream, a pomade, and a gel.
26. *Previously presented.* The composition of claim 25, wherein the composition is a gel.
27. *Previously presented.* The composition of claim 24 characterized by a viscosity of at least about 8000 cps, and a turbidity of no more than about 100 NTU (Nephelometric Turbidity Units).
28. *Previously presented.* The composition of claim 24, wherein the composition is a surfactant-free hair mousse.

STATUS OF THE CLAIMS

Claims 1, 3-14, 16-18, and 20-28 were pending.

Claims 1, 3-14, 16-18, and 20-28 have been rejected under 35 U.S.C. § 103(a) as being unpatentable over Shibata, et al. (EP 0 784 970) in view of JP 11-236310.

Claims 1-22 have been rejected under 35 U.S.C. § 103(a) as being unpatentable over JP 11-236310 in view of Sajic, et al. (US 6,017,860).

Claims 1 and 24 have been amended.

Claims 3 and 5 have been cancelled.

Claims 1, 3, 6-14, 16-18, and 20-28 are presented for reconsideration.